

JOSEPH P. RUSSONIELLO, CSBN 44332
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

E-FILED - 4/10/08

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

WENLI BAI,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 FRANCIS D. SICILIANO, Officer-in-Charge,
 San Jose Sub Office, U.S. Citizenship and
 Immigration Services;
 ROBERT S. MUELLER, III, Director
 of the Federal Bureau of Investigations;

Defendants.

No. C 08-0101 RMW

**STIPULATION TO DISMISS; AND
~~PROPOSED~~ ORDER**

Plaintiff, appearing *pro se*, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and agrees to do so within 30 days of the dismissal of this action.

///

///

Stipulation to Dismiss
 C08-0101 RMW

Each of the parties shall bear their own costs and fees.

Date: March 31, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
ILA C. DEISS
Assistant United States Attorney
Attorneys for Defendants

Date: March 28, 2008

/s/
WENLI BAI
Pro se

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 4/10/08

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge